

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

BANK OF NEW YORK MELLON,

Plaintiff,

v.

**SMILEY KING, HERMAN KING and
ALL OCCUPANTS,**

Defendants.

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Civil Action No. 3:12-CV-3949-N (BF)

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions, and Recommendation of United States Magistrate Judge Paul D. Stickney. The District Court reviewed the proposed Findings, Conclusions, and Recommendation for plain error. Finding none, the Court accepts the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

Accordingly, Plaintiff The Bank of New York Mellon's ("BNY") Motion to Remand (doc. 6) is **GRANTED**. However, BNY's request for attorney's fees, costs, and expenses is **DENIED**. This case shall be **REMANDED** back to Dallas County Court at Law No. 2 in Dallas, Texas.

SO ORDERED this 11th day of March, 2013.



DAVID C. GODBEY

UNITED STATES DISTRICT JUDGE